

BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

AMENDED REGULAR MEETING AGENDA (PAGE 1)

OCTOBER 22, 2008

7:30 PM COURTHOUSE COUNCIL CHAMBERS

ROLL CALL_____

PRAYER_____

APPROVAL OF THE MINUTES OF THE
REGULAR MEETING OF OCTOBER 1, 2008_____

ITEMS NOT ON THE AGENDA
SUSPENSION OF THE RULES_____

PUBLIC COMMENT ON ANY
PUBLIC MATTER NOT ON THE AGENDA_____

CHIEF EXECUTIVE'S REPORT_____

SECTION I REQUEST FOR QUALIFICATIONS

FOR THE PURPOSE OF ACCEPTING AND OPENING RESPONSES TO REQUEST FOR PROFESSIONAL ENGINEERING SERVICES FOR ELEVATOR DESIGN, REPAIR AND UPGRADE FOR TWO ELEVATORS LOCATED IN THE COURTHOUSE BUILDING. (Communication No.08-687 being held in Committee of the Whole) Proof of publication

SECTION I CONSENT AGENDA

- A.
1. COMMITTEE OF THE WHOLE MEETING REPORT
 2. FINANCE AND BUDGET COMMITTEE MEETING REPORT
 3. JUDICIARY COMMITTEE MEETING REPORT
 4. PUBLIC WORKS COMMITTEE MEETING REPORT
 5. PERSONNEL COMMITTEE MEETING REPORT

B. COMMUNICATIONS

1. 08-688 Karen Byrnes, Director TIFID, requesting authorization for Chief Executive to sign a letter of concurrence for the application for activation of the Port of Montana, Operator of Foreign Trade Zone 274.
Recommendation: concur and place on file.
2. 08-689 Paul Buckley, requesting water system regulations definition of "Service Line" be amended. **Recommendation: refer to Water Utility Department personnel for response to consumer and council and hold in Committee of the Whole**
3. 08-690 Arthur "Tudo" Stagnoli, requesting permission to lift the 5-year

limit on selling property purchased under adjacent land owner policy. **Recommendation: refer to the Judiciary Committee.**

4. 08-691 Brian Gollehon, Student Activities Council Chairman, requesting temporary street closures on 10/11/08 from 9 to 11 AM for Montana Tech's Homecoming Parade. **Recommendation: concur and place on file.**
5. 08-692 Tim Clark, Personnel Director, requesting authorization for Chief Executive to execute amendment #5 to the Plan Document for the Butte-Silver Bow Local Government Group Insurance Plan. **Recommendation: concur and place on file.**
6. 08-693 Linda Sajor, Director MIS, requesting authorization for Chief Executive to sign maintenance agreements with Black Box Networks. **Recommendation: concur and place on file.**
7. 08-695 Paul Babb, Chief Executive, requesting concurrence in appointment of Leo McCarthy to the Board of Health. **Recommendation: concur and place on file.**
8. 08-696 Paul Babb, Chief Executive, requesting concurrence in appointments of Dan Lacey and Bob Whelan to the Mosquito Control District Board. **Recommendation: concur and place on file.**
9. 08-697 Sharon Crase, Public Works Department, requesting approval of line item budget transfers. **Recommendation: refer to Finance and Budget Committee.**
10. 08-698 Karen Byrnes, Director Community Development Department, requesting approval of line item budget transfers. **Recommendation: refer to Finance and Budget Committee.**
11. 08-699 Mary M. McMahon, Clerk and Recorder, requesting time on 11/5/08 agenda to conduct a public hearing for the purpose of amending the budget to create budgetary authority in the office of the Clerk and Recorder. **Recommendation: hold in Committee of the Whole and schedule public hearing 11/5/08.**
12. 08-700 Brian Wood, Job Site Superintendent Epic Constuction, Inc., requesting permission for temporary street closure of one block of McKinley Street 10/20/08 to complete street improvement. **Recommendation: concur and place on file.**
13. 08-701 Bill Melvin, Civic Center Manager, requesting authorization for

Chief Executive to sign a contract with Ingraham Environmental, Inc. for removal and disposal of asbestos located in the basement of the Courthouse. **Recommendation: concur and place on file.**

14. 08-702 Rob Macioroski, Director Land Sales office, requesting time on 11/19/08 agenda to conduct a public hearing for redevelopment of co-owned property located in 400 Block of E. Park Street. **Recommendation: schedule public hearing for 11/19/08 and hold in the Committee of the Whole.**
15. 08-703 Rob Macioroski, Director Land Sales Office, requesting time on 11/19/08 agenda to conduct a public hearing for redevelopment of co-owned property located in 1100 block of Caledonia Street. **Recommendation: schedule public hearing for 11/19/08 and hold in the Committee of the Whole**
16. 08-704 Linda Sajor, Director MIS, authorization for Chief Executive to sign Professional Services Agreement with MSE, Inc. **Recommendation: concur and place on file.**
17. 08-705 Dan Dennehy, Interim Public works Director, regarding awarding of contract to Markovich Construction for installation of ventilation units at Maintenance Shop and requesting authorization for Chief Executive to sign contract. **Recommendation: concur and place on file.**
18. 08-706 Linda Sajor Joyce, Director MIS, requesting authorization for Chief Executive to execute request for change to existing account. **Recommendation: concur and place on file**
19. 08-707 Barbara Skelton, requesting authorization for Chief Executive to sign resolution calling for an improved National Energy Policy for the 21st Century. **Recommendation: refer to Judiciary.**
20. 08-709 Alyson Harvey-Williams, MIS Department, requesting approval to recycle equipment either broken or obsolete. **Recommendation: concur and place on file.**
21. 08-710 Karen Byrnes, Director Community Development Department, requesting time on 11/5/08 agenda to conduct a public hearing regarding the addition of unanticipated revenue to the 2008-2009 budget. **Recommendation: Hold in Committee of the Whole and schedule public hearing for 11/5/08.**
22. 08-711 Karen Byrnes, Director Community Development Department, requesting authorization for Chief Executive to sign contract

with Montana Department of Commerce for a CDBG Planning Grant. **Recommendation: concur and place on file.**

23. 08-712 Bill Melvin, Civic Center Manager, requesting authorization for Chief Executive to sign proposal from N.C.A.T. for the Engineering and Construction Oversight for Energy Conservation Retrofit at Butte Civic Center. **Recommendation: Concur and place on file.**
24. 08-713 Karen Byrnes, Director Community Development Department, requesting authorization for Chief Executive to sign contract extension with KIWI TB, Inc. for preparation of a market feasibility study and strategic business plan. **Recommendation: concur and place on file.**
25. 08-714 Dan Dennehy, Interim Public Works Director, authorization for Chief Executive to enter into contract with H&H contracting for repair of sanitary sewer main located in alley at 700 block between W. Park and Galena. **Recommendation: concur and place on file.**
26. 08-715 Karen Byrnes, Director Community Development Department, requesting authorization for Chief Executive to sign contract with Dave Svejksky for rehabilitation work at 652 and 654 S. Main Street. **Recommendation: concur and place on file.**
27. 08-716 Robert M. McCarthy, County Attorney, requesting authorization for Chief Executive to sign ATM Services Agreement with Wellington Technologies. ATM will be located in the Detention Center. **Recommendation: concur and place on file.**
28. 08-717 Robert M. McCarthy, County Attorney, requesting authorization for Chief Executive to sign ATM Services Agreement with Wellington Technologies. ATM will be located in the Treasurer's Office. **Recommendation: concur and place on file.**
29. 08-718 Karen Byrnes, Director Economic Development Department, requesting authorization for Chief Executive to enter into Homeowner Deferred Repayment Assistance Agreement and Housing Rehabilitation Lien Agreement. **Recommendation: concur and place on file.**
30. 08-719 Jim Smitham, requesting authorization for Chief Executive to sign application to the Big Sky Economic Development Trust Fund. **Recommendation: concur and place on file.**

31. 08-720 Kristen Rosa, TIFID Administrator, requesting authorization for Chief Executive to sign amendment to the Lost Dolphin Enterprises LLP for Engineering Services associated with SeaCast Project. **Recommendation: concur and place on file.**
32. 08-721 Ellen Crain, Archives Director, requesting authorization for Chief Executive to enter into contract with DOWL HKM for Geotechnical Services. **Recommendation: concur and place on file.**
33. 08-722 Charlie O’Leary, Chairman Council of Commissioners, requesting examination of the ownership documents for the Storm Lake Dam Site. **Recommendation: refer to Dan Dennehy, Public Works Department, County Attorney McCarthy and Rob Macioroski for their comments and hold in Committee of the Whole.**

SECTION II COMMUNICATIONS TO BE READ AND ACTED UPON

1. 08-694 Martyn Salusso and Floyd Bossard, Centennial Concrete, Inc., requesting permission to close a gate ½ mile west of Excelsior and Centennial junction during operating hours for safety reasons and at night for security purposes.
2. 08-708 Ed Randall, Community Enrichment Program Manager, requesting time on 10/22/08 agenda for approval for Butte-Silver Bow to assume ownership of 1622 N. Main Street in Walkerville and demolish the building.

SECTION III ORDINANCES AND RESOLUTIONS – REFERRED TO JUDICIARY

1. COUNCIL BILL NO. 08-7 ORDINANCE NO.

AN ORDINANCE AMENDING SUBSECTION 9.01 OF SECTION 4 OF BUTTE-SILVER BOW ORDINANCE NO. 204 AND CHAPTER 10.32 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “STOP SIGNS” AND SECTION 10.32.010(g), (m), (s) and (t) B-SB MC; PROVIDING THAT TRAFFIC PROCEEDING ALONG GALAXY DRIVE SHALL STOP BEFORE ENTERING THE INTERSECTION OF GALAXY DRIVE AND MILKY WAY; PROVIDING THAT TRAFFIC PROCEEDING ALONG GALAXY DRIVE SHALL STOP BEFORE ENTERING THE INTERSECTION OF GALAXY DRIVE AND MEADOWLARK LANE AND TRANQUILITY LANE, PROVIDING THAT TRAFFIC PROCEEDING ALONG MEADOWLARK LANE SHALL STOP BEFORE ENTERING THE

INTERSECTION OF MEADOWLARK LANE AND GALAXY DRIVE; PROVIDING THAT TRAFFIC PROCEEDING ALONG STATE STREET SHALL STOP BEFORE ENTERING THE INTERSECTION OF STATE STREET AND SHERMAN STREET; PROVIDING THAT TRAFFIC PROCEEDING ALONG TRANQUILITY LANE SHALL STOP BEFORE ENTERING THE INTERSECTION OF TRANQUILITY LANE AND GALAXY DRIVE AND MEADOWLARK LANE AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**2. COUNCIL BILL NO. 08-8
ORDINANCE NO.**

AN ORDINANCE AMENDING SUBSECTION 9.03 OF SECTION 4 OF BUTTE-SILVER BOW ORDINANCE NO. 204 AND CHAPTER 10.32 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “STOP SIGNS” AND SECTION 10.32030(A) (b) (2), BSB MC; PROVIDING FOR DESIGNATION OF BLACKTAIL AS A THROUGH STREET FROM ITS INTERSECTION WITH ELIZABETH WARREN ON THE NORTH TO ITS INTERSECTION WITH MOUNT HIGHLAND DRIVE ON THE SOUTH AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**SECTION IV ORDINANCES –
SECOND READING**

**1. COUNCIL BILL NO. 08-5
ORDINANCE NO.**

AN ORDINANCE AMENDING SECTION 2 OF THE BUTTE-SILVER BOW ORDINANCE NO. 134 AND SECTION 2.04.010 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC); ADJUSTING THE ANNUAL SALARIES OF THE CHIEF EXECUTIVE, COUNTY ATTORNEY, SHERIFF, CLERK AND RECORDER, TREASURER, ASSESSOR, CITY JUDGE, JUSTICE OF THE PEACE, AUDITOR, SUPERINTENDENT OF SCHOOLS, CLERK OF THE DISTRICT COURT, CORONER AND MEMBERS OF THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

**2. COUNCIL BILL NO. 08-6
ORDINANCE NO. 08-**

AN ORDINANCE AMENDING ORDINANCE NO. 479 AND CHAPTER 3.12 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED “CONTRACT PURCHASES”; AMENDING SECTIONS 3.12.012 AND 3.12.030, B-SB MC; ADDING A NEW SECTION TO BE NUMBERED 3.12.013, B-SB MC AND ENTITLED “PURCHASE REQUIREMENTS”; ADDING A NEW SECTION TO BE NUMBERED 3.12.014, B-SM MC AND

ENTITLED "MISTAKES AND MINOR VARIATIONS IN BIDS AND OFFERS: AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION V

**ORDINANCES AND RESOLUTIONS –
FINAL READING**

1. COUNCIL RESOLUTION NO. 08-82

A RESOLUTION APPROVING A 15 FOOT BY 100 FOOT GRANT OF EASEMENT TO NORTHWESTERN CORPORATION D/B/A NORTHWESTERN ENERGY, A DELAWARE CORPORATION, IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 3 NORTH, RANGE 8 WEST, P.M.M., DESCRIBED AS LOT 14 IN BLOCK 11 OF THE ORIGINAL BUTTE TOWNSITE FOR THE LOCATION OF AN OVERHEAD POWER LINE EASEMENT AND NECESSARY APPURTENANCES; FINDING THE NECESSARY FACTS FOR THIS RESOLUTION AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2. COUNCIL RESOLUTION NO. 08-86

A RESOLUTION ESTABLISHING CRITERIA FOR THE CLASSIFICATION OF UNSOLD TAX-DEED LANDS; DETERMINING THAT CERTAIN PROPERTY SHOULD BE HELD IN CITY-COUNTY OWNERSHIP BECAUSE OF COMPELLING PUBLIC INTEREST; ORDERING CERTAIN PARCELS OF REAL PROPERTY BE HELD IN CITY-COUNTY OWNERSHIP; AND PROVIDING FOR AN EFFECTIVE DATE HEREIN

3. COUNCIL RESOLUTION NO. 08-87

A RESOLUTION ACCEPTING THE DONATION OF PARCEL 1-B OF CERTIFICATE OF SURVEY NO. 873-B TO THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA AND PROVIDING FOR AN EFFECTIVE DATE HEREIN

4. COUNCIL RESOLUTION NO. 08-88

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE PRELIMINARY PLAT OF THE PERRY'S LODGE MINOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION VI

**ORDINANCES AND RESOLUTIONS –
SUSPENSION OF THE RULES**

1. COUNCIL RESOLUTION NO. 08-89

A RESOLUTION ESTABLISHING CRITERIA FOR THE CLASSIFICATION OF UNSOLD TAX-DEED LANDS; DETERMINING THAT CERTAIN PROPERTY SHOULD BE HELD IN CITY-COUNTY OWNERSHIP BECAUSE OF COMPELLING PUBLIC INTEREST; ORDERING CERTAIN PARCELS OF REAL PROPERTY BE HELD IN CITY-COUNTY OWNERSHIP; AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

2. COUNCIL RESOLUTION NO. 08-90

A RESOLUTION AUTHORIZING AND APPROVING THE SALE OF CERTAIN PARCELS OF TAX DEEDED REAL PROPERTY OWNED BY THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA AND PROVIDING FOR AN EFFECTIVE DATE HEREIN.

SECTION VII CALENDAR OF OTHER MEETINGS AND EVENTS.

Oct. 30	Planning Board	7PM	Council Chambers
Nov. 1	Airport Authority	Noon	Bert Mooney Airport
Nov. 4	Historic Preservation Commission	5:30PM	1 st Floor Conference Room
Nov. 5	Butte Aids Support Services	7PM	Community Center
Nov. 5	Health Department	7AM	Health Department
Nov. 6	Civic Center	5PM	Civic Center Hospitality Room
Nov. 10	Archives	Noon	Archives Center
Nov. 11	Housing Authority	5:30PM	Silver Bow Homes Housing
Nov. 12	Library	5PM	Library
Nov. 12	Fair Board	5:30PM	Business Development Center
Nov. 12	Fire Advisory Council	5PM	1 st Floor Conference Room
Nov. 12	Law Enforcement Commission	4PM	Chief Executive Conference Room
Nov. 17	Airport Authority	Noon	Bert Mooney Airport
Nov. 18	Parks and Recreation	4:15PM	Civic Center Conference Room
Nov. 18	Technical Review Committee	1:30PM	Water Company Building
Nov. 19	Community Enrichment	10:00AM	Health Department
Nov. 19	Parking Commission	3:30PM	Chief Executive Conference Room
Nov. 20	Zoning Board	5:30PM	Council Chambers

ADJOURN

COMMITTEE OF THE WHOLE MEETING REPORT OCTOBER 15, 2008

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ms. Shaw and Gentlemen:

We, your Committee of the Whole Committee, respectfully recommend as follows:

SECTION I REQUEST FOR PROPOSALS

FOR THE PURPOSE OF RECEIVING SEALED PROPOSALS FOR ALLOCATION OF THE ONE MILL LEVIED BY THE CITY-COUNTY FOR 2008 ECONOMIC DEVELOPMENT MILL LEVY FUNDS. **(Communication No. 08-588 being held in Committee of the Whole. Proof of publication was noted and placed on file.**

Karen Byrnes, Director of Community Development opened the following proposals:

1. MGCS (or An Ri' Ra Festival)	\$10,000.00
2. Advantage Butte	30,000.00
3. World Museum of Mining	21,559.00
4. Big Sky Repertory Theatre	19,300.00
5. Butte Figure Skating Club	9,000.00
6. Butte-Silver Bow Arts Foundation	25,000.00
7. Evel Knievel Days	19,200.00
8. Digger Athletics	8,750.00
9. Old Butte Historical Adventures	25,000.00
10. Mainstreet Uptown Butte	<u>50,000.00</u>
	\$217,809.00

It was moved by Commissioner Lee, seconded by Commissioner Sheehy and carried with a unanimous verbal vote to refer the ten proposals to the Economic Development Mill Levy Committee for review and report back to the Council

SECTION II PRESENTATION COMMUNICATION NO. 08-671

Karen Byrnes, Community Development Director, requesting time on the 10/15/08 agenda to present a report on the Urban Revitalization Agency's activities for FY 2007-2008.

Karen Byrnes, Economic Development Director, came to the microphone and told the Commissioners these reports are required by State Statutes. She said copies of the reports were on their desks. These contain unaudited statements. The audited statements will be available when the audited financial statements are done for the whole city-county. The URA funded 45 new projects in 2008 through matching grants. That's in addition to the approximately 50 projects that we have ongoing. Funding allocated in 2008 in the URA was about 1.5 million dollars. \$150,000.00 is the max that we will grant in matching funds. This match is a private investment of almost 6 million dollars that is put into the district. That shows that there are people out there willing to make investments in our community. We approved low interest loans at 5% interest of over one million dollars this last fiscal year. All these loans and funds are made for infrastructure related improvement to actual buildings in the district. None of these funds are for operating expenses or anything of that nature. Some of the key projects for this year are:

- The Sears Building
- Metals Sports Bar
- Acoma
- Kelly Block (Shiners Building)
- Leonard Hotel
- Gilder House
- Dumas Brothel
- Design an uptown parking structure
- Archaeological dig of Chinatown on the Corner of Colorado and Mercury Street

East Butte RRA funded 3 projects this year. They are:

- Helsinki Yacht Club
- 445 E. Park Street new roof
- 108 S. Arizona new roof

Private investments – no match from URA

- Dr. Peggy Chamen-Lowney, Professional Office Bldg., E. Park St.
- Mountain West Federal Credit Union, E. Park St.
- Berkeley Pit Viewing Stand improvements
- Business Condos by Reopelle
- CCCS Corporate Offices
- Skate Park

It was moved by Commissioner Lee, seconded by Commissioner Sheehy and carried with a unanimous verbal vote to place Communication No. 08-671 on file.

SECTION III

PRESENTATION COMMUNICATION NO. 08-685

Dr. Alex Philp, Chairman and President, requesting time on the 10/15/08 agenda to present a proposal and funding request from the Rocky Mountain Supercomputer Center, Inc.

Dr. Alex Philp, 119 Apple House Lane, Missoula, Montana, came to the microphone. He is the Chairman and President of the Rocky Mountain Supercomputer Centers, Inc. a private non-profit corporation. He told that there are many people in the audience tonight that are here to speak on behalf of the funding request. He showed some introductory slides and then asked for time for a number of individuals that have a few words to say on behalf of the request. After that he will continue with a few more slides and then questions and answers. The following came forward to speak:

Chris Augesson, State Capitol, Helena, MT.

He read a statement from Governor Schweitzer

Tony Priete, Director of Montana Dept. of Commerce, Helena, MT.

Pam Haxby-Cote, 3467 Hancock, Butte, MT.

Read into the record a statement from Senator Tester

Dick Clark, 309 Leslie, Helena, MT, Chief Financial Officer State of MT.

Earl J. Dodd, ,14518 Terrace Bend, Cypress, Texas, 77429. IBM Corporation, De-computing Strategist and Business Development Executive.

Rick Krebsbox, 66033 Plateau View Way, Boise, Idaho 83716. representing IBM.

Jim Kambich, 65 E. Broadway, Butte, MT., President of Merdi

Dr. Frank Gilmore, 1315 W. Park, Butte, MT 59701, on behalf of Montana Tech.

Pat Dudley, 127 S. Excelsior, Butte, MT. 59701, representing the National Center for Health Care Informatics.

James Wright, 1866 Sunrise Dr. Florida, in behalf of the Air Force Special Operations Command.

Jim Smitham, BLDC, 15 Redwood, Butte, MT. Executive Director of The Butte Local Development Corporation.

Dr. Philp then showed the rest of his slides and opened it up for questions and answers. Chairman O'Leary said he felt this was the beginning of a large and complicated proposals. We need to work through this. We have five members absent tonight and already behind of the discussion. That's a problem we have to solve. The digestion of all this information by both the council and the Chief Executive and his staff is going to take a little time. We'll throw some questions at you now. In the meantime I think it would be proper for the Chief Executive and his staff to educate the council as to what funding possibilities there are. That is going to be critical for us to have for our next meeting in two weeks. There may be some legal questions. He then opened it up for questions from the council. There was a lengthy time of questions. At this time Don Peoples, retired, past president of MSE and Merdi but still the Executive Chairman of the Board spoke and said he thought this was an investment they should look at very carefully.

Chairman O'Leary said the council would hold this communication in abeyance.

SECTION IV

COMMUNICATION NO. 08-274

Jon Sesso, Planning Director, requesting time on 4/16/08 agenda for a staff presentation on draft plan for long-term future of the Natural Resource Damage Program. ***Committee recommends that Communication No. 08-274 be held in abeyance.***

SECTION V

COMMUNICATION NO. 08-519

Deyda Gonzalez and Mark T. Redwine, requesting help and guidance in forming the Montana Latino/Hispanic Historical Heritage and Cultural Preservation Society. ***Committee recommends that Communication No. 08-519 be held in abeyance.***

SECTION VI

COMMUNICATION NO. 08-588

Charlie O'Leary, Chairman Council of Commissioners, requesting concurrence in setting 9/24/08 as date for reports from 2007 recipients of Economic Development Mill Levy Money and to set 10/15/08 as deadline for submissions for 2008 Mill Levy Money. ***Committee recommends that Communication No. 08-588 be placed on file.***

SECTION VII

COMMUNICATION NO. 08-640

Jon C. Sesso, Planning Director, requesting authority to advertise bid to construct Butte Welcome Monuments Project and schedule bid opening for 10/8/08. ***Committee recommends that Communication No. 08-640 be held for bid opening on October 22, 2008.***

SECTION VIII

COMMUNICATION NO. 08-654

Rob Macioroski, Director Land Records, requesting authorization for Chief Executive to sign survey for High Service Reservoir and direct County Attorney to prepare the resolution and deed for transfer of additional land from Shane Hollingsworth to Butte-Silver Bow. ***Committee recommends that Communication No. 08-654 be held for resolution.***

SECTION IX

COMMUNICATION NO. 08-663

Josh M. Peck, Christmas Stroll Coordinator, requesting street closures for Christmas Stroll 12/5/08 and also extra sand on Park between Main and Wyoming. ***Committee recommends that Communication No. 08-663 be approved and placed on file.***

SECTION X

COMMUNICATION NO. 08-685

Dr. Alex Philp, Chairman and President, requesting time on the 10/15/08 agenda to present a proposal and funding request from the Rocky Mountain Supercomputer Center, Inc. ***Committee recommends that Communication No. 08-663 be held in abeyance.***

SECTION XI

COMMUNICATION NO. 08-687

Bill Melvin, Civic Center Manager, requesting time on 10/22/08 agenda for opening of a request for qualifications of Architectural/Engineering Services to two elevators at the Courthouse. ***Committee recommends that Communication No. 08-687 be held in abeyance.***

FINANCE & BUDGET COMMITTEE MEETING REPORT OCTOBER 15, 2008

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONER

Ms. Shaw and Gentlemen:

We, your Finance and Budget Committee, respectfully recommend as follows:

SECTION I COMMUNICATION NO. 08-678

Rick Larson, Director of Public Health, requesting approval of line item budget transfers. ***Committee recommends that Communication No. 08-678 be approved and placed on file.***

SECTION II EXPENDITURE APPROVAL

October 1, 2008	\$528,156.70
October 15, 2008	\$885,807.77

Committee recommends approval of above expenditures.

JUDICIARY COMMITTEE MEETING REPORT

OCTOBER 15, 2008

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ms. Shaw and Gentlemen:

We, your Judiciary Committee, respectfully recommend as follows:

SECTION I **COMMUNICATION NO. 08-421**

Micheline Boysza, Vice President Highland View Golf Club, requesting Council consider and application for a golf course beer and wine license.
Committee recommends that Communication No. 08-421 be held in abeyance.

SECTION II **COUNCIL BILL NO. 08-5**
ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 2 OF THE BUTTE-SILVER BOW ORDINANCE NO. 134 AND SECTION 2.04.010 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC); ADJUSTING THE ANNUAL SALARIES OF THE CHIEF EXECUTIVE, COUNTY ATTORNEY, SHERIFF, CLERK AND RECORDER, TREASURER, ASSESSOR, CITY JUDGE, JUSTICE OF THE PEACE, AUDITOR, SUPERINTENDENT OF SCHOOLS, CLERK OF THE DISTRICT COURT, CORONER AND MEMBERS OF THE COUNCIL OF COMMISSIONERS AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. ***Committee recommends that Council Bill No. 08-5 be moved to second reading and passed***

SECTION III **COUNCIL BILL NO. 08-6**
ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 479 AND CHAPTER 3.12 OF THE BUTTE-SILVER BOW MUNICIPAL CODE (B-SB MC) ENTITLED "CONTRACT PURCHASES"; AMENDING SECTIONS 3.12.012 AND 3.12.030, B-SB MC; ADDING A NEW SECTION TO BE NUMBERED 3.12.013, B-SB MC AND ENTITLED "PURCHASE REQUIREMENTS"; ADDING A NEW SECTION TO BE NUMBERED 3.12.014, B-SM MC AND ENTITLED "MISTAKES AND MINOR VARIATIONS IN BIDS AND OFFERS: AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. ***Committee recommends that Council Bill No. 08-6 be placed on second reading and passed.***

SECTION IV

COUNCIL RESOLUTION NO. 08-82

A RESOLUTION APPROVING A 15 FOOT BY 100 FOOT GRANT OF EASEMENT TO NORTHWESTERN CORPORATION D/B/A NORTHWESTERN ENERGY, A DELAWARE CORPORATION, IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 3 NORTH, RANGE 8 WEST, P.M.M., DESCRIBED AS LOT 14 IN BLOCK 11 OF THE ORIGINAL BUTTE TOWNSITE FOR THE LOCATION OF AN OVERHEAD POWER LINE EASEMENT AND NECESSARY APPURTENANCES; FINDING THE NECESSARY FACTS FOR THIS RESOLUTION AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. ***Committee recommends that Council Resolution No. 08-2 be moved to final reading.***

SECTION V

COUNCIL RESOLUTION NO. 08-83

A RESOLUTION TO CREATE A CAPITAL PROJECT FUND FOR THE BUTTE-SILVER BOW PUBLIC LIBRARY AND TO AUTHORIZE THE TRANSFER OF FUNDS TO BE DEPOSITED IN THE GENERAL FUND LIBRARY DEPRECIATION AND RESERVE FUND AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. ***Committee recommends that Council Resolution No. 08-3 be denied and placed on file.***

SECTION VI

COUNCIL RESOLUTION NO. 08-86

A RESOLUTION ESTABLISHING CRITERIA FOR THE CLASSIFICATION OF UNSOLD TAX-DEED LANDS; DETERMINING THAT CERTAIN PROPERTY SHOULD BE HELD IN CITY-COUNTY OWNERSHIP BECAUSE OF COMPELLING PUBLIC INTEREST; ORDERING CERTAIN PARCELS OF REAL PROPERTY BE HELD IN CITY-COUNTY OWNERSHIP; AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. ***Committee recommends that Council Resolution No. 08-86 be placed on final reading and passed.***

SECTION VII

COUNCIL RESOLUTION NO. 08-87

A RESOLUTION ACCEPTING THE DONATION OF PARCEL 1-B OF CERTIFICATE OF SURVEY NO. 873-B TO THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. ***Committee recommends that Council Resolution No. 08-87 be placed on final reading and passed.***

SECTION VIII

COUNCIL RESOLUTION NO. 08-88

A RESOLUTION GRANTING CONDITIONAL APPROVAL OF THE PRELIMINARY PLAT OF THE PERRY'S LODE MINOR SUBDIVISION OF THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA; PROVIDING FOR THE REPEAL OF ALL PARTS OF RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE HEREIN. ***Committee recommends that Council Resolution No. 08-88 be placed on final reading and passed.***

**PUBLIC WORKS COMMITTEE MEETING REPORT
OCTOBER 15, 2008**

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ms. Shaw and Gentlemen:

We your Public Works Committee, respectfully recommend as follows:

SECTION I **PETITION NO. 08-9**

John Harrington, Building Official, requesting on behalf of 4 S LLC to close and vacate a portion of the alley within Block of the Trask Addition.
Committee recommends that Petition No. 08-9 be held in abeyance.

SECTION II **COMMUNICATION NO. 08-95**

Virginia Hanson, Risk Management Coordinator, requesting traffic study be conducted by MDOT on Continental Drive from East Lake to Four Mile Road. ***Committee recommends that Communication No. 08-95 be held in abeyance.***

SECTION III COMMUNICATION NO. 08-147

Wally Frasz, Commissioner District #6, requesting a traffic study be done where Rowe Road turns into Holmes Avenue and also the intersection of Lexington and Rowe Road. **Committee recommends that Communication No. 08-147 be held in abeyance.**

SECTION IV COMMUNICATION NO. 08-537

Robert A. Macioroski, Director, regarding the request for power line easement from Northwestern Energy. ***Committee recommends that Communication No. 08-537 be held in abeyance.***

SECTION V **COMMUNICATION NO. 08-601**

Glen Granger, Commissioner District 1, requesting three traffic studies be conducted on the intersections of Tranquility, Meadowlark and Green Lane and Holly Lane and Blacktail Lane and Galaxy and Milky Way. ***Committee recommends to continue to hold Communication No. 08-601 and wait for County Attorney to prepare amendment to traffic ordinance.***

SECTION VI

COMMUNICATION NO. 08-634

Tony Schoonen, Chairman Homeowners Association, requesting council designate the Dawson Loop Road as a public right-of-way. ***Committee recommends that Communication No. 08-634 be held in abeyance.***

SECTION VII

COMMUNICATION NO. 08-636

Joe Lee, Commissioner District #2, requesting traffic study/intersection of State and Sherman Streets. ***Committee recommends that Communication No. 08-636 be held in abeyance.***

PERSONNEL COMMITTEE MEETING REPORT

OCTOBER 15, 2008

TO THE HONORABLE CHIEF EXECUTIVE AND MEMBERS OF THE BUTTE-SILVER BOW COUNCIL OF COMMISSIONERS

Ms. Shaw and Gentlemen:

We, your Personnel Committee, respectfully recommend as follows:

SECTION I

COMMUNICATION NO. 08-107

William P. Joyce, Attorney at Law, requesting Council take action to ensure that the benefits of 3 captains in the Sheriff's Department be maintained by passing a resolution. ***Committee recommends that Communication No. 08-107 be held in abeyance and request County Attorney for a copy of Tom Welsch's opinion for members of the Personnel Committee.***

SECTION II

COMMUNICATION NO. 08-665

John P. Walsh, requesting waiver of sick leave grant requirements and approval to use 160 hours sick leave donation for Peggy Leary. ***Committee recommends approval of additional 160 hours sick leave for Peggy Leary and waives requirement for 5 days leave without pay and placed Communication No. 08-665 on file.***